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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/667,302	09/23/2003	Hidenori Shindoh	243008US2	9279

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OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.  
1940 DUKE STREET  
ALEXANDRIA, VA 22314

EXAMINER
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NGUYEN, ALLEN H

ART UNIT	PAPER NUMBER
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2625

NOTIFICATION DATE	DELIVERY MODE
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07/11/2007

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com  
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jgardner@oblon.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/667,302	<b>Applicant(s)</b> SHINDOH ET AL.	
	<b>Examiner</b> Allen H. Nguyen	<b>Art Unit</b> 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 23 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/10/03</u> | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Information Disclosure Statement*

2. The information disclosure statement (IDS) submitted on 02/17/04, 06/15/04, 11/30/04, 08/18/04, 07/19/05 and 11/15/05 has been considered by the examiner.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Tanio (US 5,930,389).

Regarding claim 1, Tanio '389 discloses an apparatus for forming an image, in which hardware resources ~~(103, 104, 223, 224, fig. 1)~~<sup>kp</sup> for use in the forming of the image are provided (a hardware circuit, col. 10, line 49), and a program runs in respect of the forming of the image, said apparatus comprising (a module construction of the

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control program which operates on the CPU2 side, col. 8, lines 43-44, fig. 6, a module 701):

an image data converting unit which converts a format of image data (Color Conversion Circuit 304, fig. 2B);

a format unifying unit (101, fig. 1) which unifies a plurality of formats of image data by utilizing said image data converting unit (there are a plurality of images of different image types, it is necessary to unify the types of all of the image data prior to printing, col. 11, lines 54-56).

Regarding claim 2, Tanio '389 discloses the apparatus, wherein said image data converting unit (Color Conversion Circuit 304, fig. 2B) converts formats of image data used by a copier (103, fig. 1), a printer (223, 224, fig. 1), a scanner (109, 110, fig. 1), and a facsimile (i.e., a copier 103 has the transmission/reception function. Therefore, a copier 103 is also a facsimile; fig. 1, Transmission 103-2, Reception 103-1).

Regarding claim 3, Tanio '389 discloses the apparatus, wherein said image data converting unit (304, fig. 2B) converts a format of image data by resizing an image of the image data (i.e., each memory has a memory capacity corresponding to images of an original of the A4 size, by connecting the two memories, images of an original of the A3 size can be handled. Therefore, the conversion CKT has a function of resizing image data; col. 5, lines 35-37, fig. 2A, Frame Memory 201-202), compressing the

image data (image compression, col. 9, line 7), decoding the image data (extension, col. 9, line 7), and attending to multi-value conversion of the image data (File ID, fig. 12).

Regarding claim 4, Tanio '389 discloses the apparatus, wherein said image data converting unit (304, fig. 2B) converts the format of image data by hardware (the color space converting process can be executed by a hardware circuit, col. 10, lines 48-49, fig. 2B).

Regarding claim 5, Tanio '389 discloses the apparatus, wherein said format unifying unit (101, fig. 1) unifies the plurality of formats of image data into one of the plurality of formats (three image types are converted and the image data is stored into the file by the same image type, col. 12, lines 3-5, figs. 17A-17C).

Regarding claim 6, Tanio '389 discloses the apparatus, wherein said format unifying unit (101, fig. 1) includes a conversion executing unit which converts the image data by utilizing said image data converting unit according to a unified format (image input/output tasks of different control types such as CLC type, FS type, and the like can be operated according to the connected device, col. 10, lines 11-13).

Regarding claim 7, Tanio '389 discloses the apparatus, wherein said format unifying unit (101, fig. 1) includes a plurality of conversion executing units (223, 224, fig. 2A), one of which is said conversion executing unit (303, 304, 305, 306 and 307 of 223,

fig. 2A), and others of which are identical to said conversion executing unit (303, 304, 305, 306 and 307 of 224, fig. 2A).

Regarding claim 8, Tanio '389 discloses the apparatus, wherein said format unifying unit (101, fig. 1) assigns the plurality of conversion executing units (the masking color processing circuit 305, fig. 2A) to respective images (the masking color processing circuit 305 executes image editing processes such as masking, UCR operating process, and the like according to the color reproducing characteristics of the color copying apparatus 103, col. 6, lines 29-32), thereby converting image data of the images (in order to accurately reconstruct the image, col. 6, line 33).

Regarding claim 9, Tanio '389 discloses the apparatus, wherein any given one (color conversion circuit 304, fig. 2A) of said conversion executing units converts image data of a corresponding one of the images (in case of layout-printing three images of different image types, col. 11, lines 56-57, fig. 17A) by utilizing said image data converting unit if a format of the image data of the corresponding one of the images is different from the unified format (fig. 17B).

Regarding claim 10, Tanio '389 discloses the apparatus, further comprising a consolidated printing unit (Color Conversion CKT 304, fig. 2B) which consolidates and prints images (the resultant data is outputted to a desired output device, col. 12, lines 7-

8) whose formats are unified by said format unifying unit (it is necessary to unify the types of all of the image data prior to printing, col. 11, lines 55-56).

Regarding claim 11, Tanio '389 discloses the apparatus, wherein said format unifying unit (101, fig. 1) notifies said consolidated printed unit (CLC103/104, fig. 1) that image data is ready for consolidated printing if said format unifying unit completes unification of the formats of image data after conversion of at least one of the formats or because of no need for conversion of at least one of the formats (in step S50, col. 11, line 20).

Regarding claim 12, Tanio '389 discloses a method for consolidated printing by an image forming apparatus (101, fig.1), in which hardware resources (103, 104, 223, 224, fig. 1) for use in forming of an image are provided, and a program runs in respect of the forming of the image (a module construction of the control program which operates on the CPU2 side, col. 8, lines 43-44, fig. 6, a module 701), said method comprising the steps of:

unifying a plurality of formats (there are a plurality of images of different image types, col. 11, lines 54-55) of image data by converting the formats of image data by hardware (the color space converting process can be executed by a hardware circuit, col. 10, lines 48-49, fig. 2B);

consolidating and printing image data whose formats are unified (it is necessary to unify the types of all of the image data prior to printing, col. 11, lines 55-56).

**Conclusion**

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mayle et al. (US 6,542,936) discloses system for creating messages including image information.

Schwab (US 6,353,699) discloses method and apparatus for compiling audio/video information from remote sites into a final video program.

Stodersching et al. (US 2004/0150853) discloses method system and computer program system for visually checking a print data flow.

Hirai et al. (US 4,943,936) discloses print control apparatus controlling utilization state of plural format blocks.

Tanaka et al. (US 5,386,297) discloses combined output system for code data and image data in a message handling processor.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allen H. Nguyen whose telephone number is 571-270-1229. The examiner can normally be reached on M-F from 9:00 AM-6:00 PM.

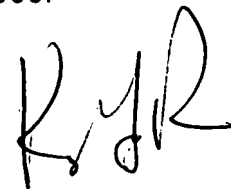
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Poon can be reached on (571)-272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AN

06/28/07



KING Y. POON  
PRIMARY EXAMINER

Supervising Patent